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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,855	09/19/2000	Masayuki Enoki	197452US2S	5425
22850	7590	04/28/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/664,855

Applicant(s)

ENOKI ET AL.

Examiner

Huy D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 12-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 12-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmela et al. (U.S. Patent No. 6,181,938) in view of Witter (U.S. Patent No. 6,073,035).

Regarding claims 12-14, Salmela et al. teaches a mobile station for CDMA mobile communication system, comprising: a transmitter configured to transmit a location registration request signal (e.g., step 2A-1, the dual mode terminal DMT transmits a location update request Loc\_Up-date\_Req) to a base station being acquired by the mobile station; a receiver configured to receive an acknowledge signal transmitted, in response to the location registration request signal, from the base station (e.g., In step 2A-4, the visitor location register VLR transmits an

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acknowledgement that the location updating has been performed to the mobile switching center MSC, which transmits the acknowledgement further to the mobile terminal DMT in step 2A-5) (see figure 2A and column 3, lines 50-65).

Salmela et al. does not teach a controller configured to disable the receiver and to disable transmission of the location registration request signal to the base station for a first time period when the receiver does not receive the acknowledge signal within a second time period of the transmission of the location registration request signal and configured to enable the receiver and to enable transmission of the location registration request signal to the base station when the first time period elapses. However, the preceding limitations are taught in Witter (see column 3, lines 15-22). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Witter to the teaching of Salmela et al. in order to reduce power consumption. The combination of Salmela et al. and Witter does not specifically teach a switch provided between a power supply and the receiver. However, the preceding limitation has been well known in the art. It would have been obvious to one having ordinary skill in the art, at the time of the invention, to provide a switch between the power supply and the receiver to control power supplying to the receiver.

5. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmela et al. (U.S. Patent No. 6,181,938) in view of Witter (U.S. Patent No. 6,073,035) in further view of Jeong (U.S. Patent No. 6,421,539).

Regarding claims 15-16, the combination of Salmela et al. and Witter does not teach means for acquiring a second base station when the receiver does not receive the acknowledge signal within a third time period of the transmission of the location registration request signal;

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wherein the transmitter transmit another location registration request signal to the acquired second base station and the receiver receives another acknowledge signal transmitted, in response to the another location registration request signal, from the acquired second base station. However, the preceding limitations are taught in Jeong (see column 6, lines 34-39). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Jeong to the teaching of Salmela et al. and Witter to maintain good quality communication link between the mobile device and the base station.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact Information***

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER